

RACHELE R. BYRD (190634)
BRITTANY N. DEJONG (258766)
**WOLF HALDENSTEIN ADLER
FREEMAN & HERZ LLP**

750 B Street, Suite 1820
San Diego, CA 92101
Telephone: 619/239-4599
Facsimile: 619/234-4599
byrd@whafh.com
dejong@whafh.com

MARK C. RIFKIN (*pro hac vice*)
MATTHEW M. GUINEY (*pro hac vice*)
**WOLF HALDENSTEIN ADLER
FREEMAN & HERZ LLP**

270 Madison Avenue
New York, NY 10016
Telephone: 212/545-4600
Facsimile: 212/545-4677
rifkin@whafh.com
guiney@whafh.com

*Interim Class Counsel for the
Consumer Plaintiffs*

STEVE W. BERMAN (*pro hac vice*)
ROBERT F. LOPEZ (*pro hac vice*)
**HAGENS BERMAN SOBOL
SHAPIRO LLP**

1301 Second Ave., Suite 2000
Seattle, WA 98101
Telephone: (206) 623-7292
Facsimile: (206) 623-0594
steve@hbsslaw.com
robl@hbsslaw.com

SHANA E. SCARLETT (SBN 217895)
BENJAMIN J. SIEGEL (SBN 256260)
**HAGENS BERMAN SOBOL
SHAPIRO LLP**

715 Hearst Avenue, Suite 202C
Berkeley, CA 94710
Telephone: (510) 725-3000
Facsimile: (510) 725-3001
shanas@hbsslaw.com
bens@hbsslaw.com

*Interim Class Counsel for the
Developer Plaintiffs*

[Additional counsel appear on signature page]

PAUL R. RIEHLE (SBN 115199)
paul.riehle@faegredrinker.com
**FAEGRE DRINKER BIDDLE &
REATH LLP**

Four Embarcadero Center, 27th Floor
San Francisco, CA 94111
Telephone: (415) 591-7500
Facsimile: (415) 591-7510

CHRISTINE A. VARNEY (*pro hac vice*)
cvarney@cravath.com

KATHERINE B. FORREST (*pro hac
vice*)

kforrest@cravath.com

GARY A. BORNSTEIN (*pro hac vice*)

gbornstein@cravath.com

YONATAN EVEN (*pro hac vice*)

yeven@cravath.com

LAUREN A. MOSKOWITZ (*pro hac
vice*)

lmoskowitz@cravath.com

M. BRENT BYARS (*pro hac vice*)

mbyars@cravath.com

CRAVATH, SWAINE & MOORE LLP
825 Eighth Avenue

New York, New York 10019

Telephone: (212) 474-1000

Facsimile: (212) 474-3700

Attorneys for Epic Games, Inc.

THEODORE J. BOUTROUS JR. (SBN
132099) tboutrous@gibsondunn.com

RICHARD J. DOREN (SBN 124666)

rdoren@gibsondunn.com

DANIEL G. SWANSON (SBN 116556)

dswanson@gibsondunn.com

JAY P. SRINIVASAN (SBN 181471)

jsrinivasan@gibsondunn.com

GIBSON, DUNN & CRUTCHER LLP

333 South Grand Avenue

Los Angeles, CA 90071-3197

Telephone: 213.229.7000

Facsimile: 213.229.7520

Attorneys for Defendant Apple Inc.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

EPIC GAMES, INC.,

Plaintiff, Counter-defendant,

v.

APPLE INC.,

Defendant, Counterclaimant.

Case No. 4:20-CV-05640-YGR

In re Apple iPhone Antitrust Litigation

Case No. 4:11-cv-06714-YGR

DONALD R. CAMERON, *et al.*,

Plaintiffs,

v.

APPLE INC.,

Defendant.

Case No. 4:19-cv-03074-YGR

**JOINT PROPOSED AGENDA FOR
CASE MANAGEMENT CONFERENCE**

Date: October 19, 2020

Time: 9:30 a.m.

Courtroom: 1, 4th Floor (via Zoom)

Judge: Hon. Yvonne Gonzalez Rogers

Pursuant to the Court’s Case Scheduling and Pretrial Order dated October 6, 2020 (*Epic Games, Inc. v. Apple Inc.*, 4:20-cv-05640-YGR (“*Epic*”), ECF No. 116) and Orders re: Case Management Conference dated October 6, 2020 (*Cameron, et al. v. Apple Inc.*, 4:19-cv-03074-YGR (“*Cameron*”), ECF No. 119; *In re Apple iPhone Antitrust Litigation*, 4:11-cv-06714-YGR (“*Pepper*”), ECF No. 232), Plaintiff Epic Games, Inc. in *Epic*; Plaintiffs Robert Pepper, Stephen

1 H. Schwartz, Edward W. Hayter, and Edward Lawrence, in *Pepper* (collectively, “Consumer
 2 Plaintiffs”); Plaintiffs Donald R. Cameron and Pure Sweat Basketball, Inc. in *Cameron*
 3 (collectively, “Developer Plaintiffs”); and Defendant Apple Inc. (“Apple”) (Apple together with
 4 Epic, Consumer Plaintiffs, and Developer Plaintiffs, the “Parties”), by and through their
 5 undersigned counsel, hereby submit the following proposed agenda for the October 19, 2020, 9:30
 6 a.m. case management conference:

- 7 1. Modification of *Cameron* and *Pepper* schedule to facilitate coordination with *Epic*.
- 8 2. Coordination across *Cameron*, *Pepper*, and *Epic*, including the applicability of the
 9 Orders Granting Stipulation Regarding Coordination of Discovery (*Cameron* ECF
 10 No. 80; *Pepper* ECF No. 194) to *Epic* and to the Parties’ ongoing discussions
 11 regarding coordination of:
 - 12 a. Discovery requests and document productions;
 - 13 b. Joint protocol governing the discovery of ESI;
 - 14 c. Fact depositions; and
 - 15 d. Third-party discovery.
- 16 3. Discovery status in *Cameron* and *Pepper*, per Section 3 of the Further Joint Case
 17 Management Statements (*Cameron* ECF No. 175; *Pepper* ECF No. 244).
- 18 4. Discovery status in *Epic*, per Section 8.A of the Joint Case Management Statement
 19 (*Epic* ECF No. 120).
- 20 5. Recommendations to streamline trial issues and briefing, including whether briefing
 21 on certain legal issues should be staged in advance of the trial (*Epic*, ECF No. 116).
- 22 6. Zoom accessibility issues for Parties and counsel.

1
2 Dated: October 15, 2020

CRAVATH, SWAINE & MOORE LLP
Christine Varney
Katherine B. Forrest
Gary A. Bornstein
Yonatan Even
Laurent A. Moskowitz
M. Brent Byars

6 Respectfully submitted,

7 By: /s/ Gary A. Bornstein
8 Gary A. Bornstein

9 *Attorneys for Plaintiff Epic Games, Inc.*

10
11 Dated: October 15, 2020

WOLF HALDENSTEIN ADLER FREEMAN &
HERZ LLP
Mark C. Rifkin
Rachele R. Byrd
Matthew M. Guiney
Brittany N. DeJong

15 Respectfully submitted,

16 By: /s/ Brittany N. DeJong
17 Brittany N. DeJong

18 *Interim Class Counsel for the Consumer*
19 *Plaintiffs*

1 Dated: October 15, 2020

HAGENS BERMAN SOBOL SHAPIRO LLP
Steve W. Berman
Robert F. Lopez
Shana E. Scarlett
Benjamin J. Siegel

4 Respectfully submitted,

5 By: /s/ Robert F. Lopez
6 Robert F. Lopez

7 *Interim Class Counsel for the Developer*
8 *Plaintiffs*

9 Dated: October 15, 2020

GIBSON, DUNN & CRUTCHER LLP
Theodore J. Boutrous Jr.
Richard J. Doren
Daniel G. Swanson
Mark A. Perry
Veronica S. Lewis
Cynthia E. Richman
Jay P. Srinivasan
Ethan D. Dettmer
Eli M. Lazarus
Harry Phillips

15 Respectfully submitted,

16 By: /s/ Cynthia E. Richman
17 Cynthia E. Richman

18 *Attorneys for Defendant Apple Inc.*

19
20
21 **E-FILING ATTESTATION**

22 I, Gary A. Bornstein, am the ECF User whose ID and password are being used to
23 file this document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that each of the
24 signatories identified above has concurred in this filing.

25
26 /s/ Gary A. Bornstein
27 Gary A. Bornstein